

Talking Points for OW Monthly Program Review (MPR)

June 24, 2021

Nonresponsive based on revised scope

Countermeasure – EPA Permit Backlog: New UIC/ Number of New Permit Applications in Backlog

Metrie Owner Name: Karrie Crunlish

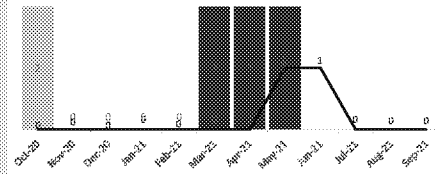
Problem Solving Guide Name: Joe Schulingkamp, Lydia Bailey

Date: 4/12/2021

Problem-solving technique(s) used: Brainstorming

Root Causes: The delay is due in part to the current tribal consultative process. Region III has been involved in tribal consultation on a number of permits. We are committed to honoring this dialogue and fully respond to questions and concerns expressed by the tribal nations. We are reluctant to truncate the consultation process, particularly given EPA's emphasis on working with tribal governments. There has been a heightened awareness and concern associated with injecting wastewater underground. As a result of that, Region III has received numerous public comments on its Class II disposal permits in Pennsylvania. In order to avoid appeals which cost significant attorney and staff time, the Region prefers to engage in a full and transparent dialogue with stakeholders and address their concerns.

Backlogged Existing Permit Applications (NPDES)



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New UIC Permit Backlog

Metric Name: EPA Permit Backlog- New UIC

Metric Direction: Decreasing

Monthly Target: 0 **Monthly Result:** 2

Metric Definition: Sum of the applications for new EPA UIC permits (all Classes) that have been pending for over 6 months. This measure only includes those wells that do not already have an EPA UIC permit (for the new well class).

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Roulette

180 day deadline: March 17, 2021

Permit issuance was delayed due to the following reasons:

- As a result of COVID, local government claimed that additional time was necessary to provide them and the public an opportunity to review. To ensure transparency and adequate public and local government review, EPA agreed to extend the comment period from 30 days to 90 days.
- Additionally, the Seneca Nation requested consultation. The program met with the Seneca Nation and are in receipt of their formal comments.
- The program received 70 comments in total.
 - Staff are working on finalizing our comments to the Seneca Nation. ORC is actively engaged in assisting with the review.
 - HQ provided contractual support (Cadmus) to assist with organizing and responding to the 40 public comments received during the public hearing.

Resolution: We are actively working on finalizing the responses to the tribe and public. Once finalized, these comments will be routed through to the Division Director for review and approval.

- **Deadline:** We hope to have formal comments to Seneca Nation in concurrence by mid-June.
- **Deadline:** We hope to have formal comments to the public in concurrence by August.

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